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2	San Jose, CA. 95126	Sign Sign
3	Tel. 408-287-7787 Fax. 408-287-8862	STATES DISTRICT COLE
4	ROBERT M. TOBIN (#64667)	Z IT IS SO UNDE
	San Jose, CA. 95126	PI O mea March [5]
5	Tel. 408-275-6967 Fax. 408-275-8862	Judge James Ware
6	ANTHONY T. GIACALONE (#39111)	Judge James Ware
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8	Tel. 408-847-7266 Fax. 408-847-2468	PRIV DISTRICT OF CEN
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16	Tel. 612-349-8500 Fax. 612-339-4181	
17	Attorneys for Defendants GREG LEMOND, and LEMOND CYCLING, INC.	
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19		
20	United States District Court	
	Northern Distri	ct of California, San Jose Division
21		
<ul><li>22</li><li>23</li></ul>	Warren Gibson, )	NO. C 06-CV-04220 JW
	) Plaintiff, )	STIPULATED STATUS REPORT
24	)	AND PROPOSED ORDER
25	Greg LeMond, LeMond Cycling, ) Inc., a Minnesota corporation, and )	DATE: April 7, 2008
26	Does 1 through 20, inclusive,	TIME: 10:00 ÁM JUDGE: The Honorable James Ware
27	Defendants.	THE HOHOLAUIC JAINES WAIC
28	)	
20		
	Stipulated Status Report	Case No. C-06-04220

Case No. C-06-04220 JW

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Counsel in the above-captioned matter wish to inform the Court of matters since their previous stipulated status report of February 28, 2008, which advised the court that binding arbitration in the above-captioned proceedings had concluded and that the parties were anticipating the reasoned award of arbitrator George C. Fisher or on before March 21, 2008.

On March 20, 2008, the award of arbitrator Fisher was forwarded to the parties, a copy of which is attached hereto as Exhibit "A". Pursuant to that award, it was determined that LeMond shall pay to Gibson the sum of \$840,527.00 on Gibson claims and that Gibson shall pay to LeMond the sum of \$67,918.11 on the LeMond counter-claims. Further, it was determined that LeMond is entitled to set off the amount due from Gibson against amounts due to Gibson, leaving a net due to Gibson in the amount of \$772,608.89.

Since the rendering of the award, the parties have conferred and it has been agreed that Gibson will be requesting judgment from this federal court pursuant to the arbitration award. It has further been agreed that LeMond does not and will not contest entry of the judgment. LeMond has been contacted by the Internal Revenue Service, which wishes to be notified upon entry of judgment so that it may have the option to levy the award. LeMond is prepared to satisfy the judgment in a manner consistent with the cooperation that has been requested by the Internal Revenue Service.

Accordingly, at this time, Warren Gibson, Petitioner and Plaintiff in the above-captioned proceeding is requesting that the court enter judgment against Greg LeMond and LeMond Cycling, Inc. in the net amount of \$772,068.89, with interest to run at 10% per annum from and after entry of judgment until paid in full, and that the status conference now set for April 7, 2008, be continued for

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## Case 5:06-cv-04220-JW Document 80 Filed 04/02/08 Page 3 of 4 one month to allow for entry of judgment, and any further proceedings which may be necessary with regard to the collection thereof. /s/ M. Jean Starcevich M. JEAN STARCEVICH, Attorney for Plaintiff Warren Gibson DATED: 3/31/08 /s/ Denise S. Rahne DATED: 3/31/08 Denise S. Rahne By: ROBINS, KAPLAN, MILLER & CIRESI LLP Attorneys for Defendants Greg LeMond and LeMond Cycling, Inc.

Stipulated Status Report

GROPOSED ORDER

Upon reading the above stipulated status report, it is hereby Ordered that Warren Gibson shall have judgment in the net amount of \$772,608.89 against Greg LeMond and LeMond Cycling, Inc. with interest at the legal rate of 10% to run on such amount from and after entry of judgment. Counsel for the petitioner shall prepare the judgment to be submitted and approved as to form by counsel for LeMond, and then submitted to the court for signature, filing and entry.

It is further Ordered that the status conference now set for April 7, 2008, be continued to May 5, 2008, at 10:00 AM to allow for preparation and entry of Judgment.

DATED: \_\_\_\_April 2, 2008

HONOKABLE JAMES WARE,
JUDGE OF THE UNITED STATES
DISTRICT COURT